

DECLARATION AND POWER OF ATTORNEY  
AND  
NON-PUBLICATION REQUEST PER 37 CFR 1.213(a)

Declaration

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and that:

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled

COMPOSITE TANGLED FILAMENT MAT  
WITH OVERLYING LIQUID MOISTURE BARRIER  
FOR CUSHIONING AND VENTING OF VAPOR,  
AND FOR PROTECTION OF UNDERLYING SUBFLOOR

as described and claimed in the appended application,  
Atty's Dkt. No. 5-919.

I hereby state that I have reviewed and understand the contents of the specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim no foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application for patent or inventor's certificate, and declare that I have identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which a claim for priority is based:

No foreign priority benefits are claimed. No corresponding foreign cases have been filed.

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or Patent Cooperation Treaty international filing date of this application:

The present application is not a continuation-in-part of any earlier-filed application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Small Entity Status

As a named inventor, and acting on behalf of Keene Building Products, Inc. unto whom the entire right, title and interest in the application identified above is being assigned, I hereby claim the benefits of Small Entity Status entitling the Applicant to pay USPTO fees at the half-price rate available to small entities.

Non-Publication Request and Certification  
Under 35 USC 122(b) (2)(B) (i) Per 37 CFR 1.213(a)

As a named inventor, and acting on behalf of Keene Building Products, Inc. unto whom the entire right, title and interest in the application identified above is being assigned, I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing, and I hereby request that the attached application not be published under 35 USC 122(b) per 37 CFR 1.213(a).

Power of Attorney

As a named inventor, and acting on behalf of Keene Building Products, Inc. unto whom the entire right, title and interest in the application identified above is being assigned, I hereby appoint

David A. Burge, Esq.  
Registration No. 24,390  
Telephone 216/921-8900  
Fax 216/921-0209

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Designation of Mailing Address

As a named inventor, and acting on behalf of Keene Building Products, Inc. unto whom the entire right, title and interest in the application identified above is being assigned, I hereby designate as a mailing address for Patent and Trademark Office use, the office of

David A. Burge, Esq.  
David A. Burge Co., L.P.A.  
2901 South Park Boulevard  
Cleveland, OH 44120-1842

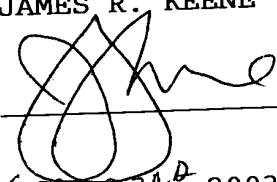
Please associate with this application the USPTO Customer Number 000,707 assigned to David A. Burge, Reg. No. 24,390, so that mail will be directed to the address designated just above.

Inventor Signatures

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Inventor's Full Name: JAMES R. KEENE

Inventor's Signature:



Signature Date: Sept. 23<sup>rd</sup>, 2003

Residence City & State: Pepper Pike, OH 44124

Inventor's Citizenship: United States of America

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Inventor's Full Name: MICHAEL L. JACKSON

Inventor's Signature: Michael L. Jackson

Signature Date: Sept. 27<sup>th</sup>, 2003

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